



IW RCE

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/401,596
Filing Date: September 22, 1999
First Named Inventor: Chess, David M.
Group Art Unit: 2175
Examiner Name: Abel Jalil, Neveen
Attorney Docket Number: 909.0001USU
CUSTOMER NO.: 27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. XXXXX Previously submitted
i. XXXXX Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on November 17, 2004 (any unentered amendment(s) referred to above will be entered).
ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. _____ Other _____

b. _____ Enclosed
i. _____ Amendment/Reply with transmittal
ii. _____ Affidavit(s)/Declaration(s)
iii. _____ Information Disclosure Statement (IDS) and PTO-1449
iv. _____ Other _____

2. Miscellaneous

a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. _____ Other _____

3. Fees The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. XXXXX The Director is hereby authorized to charge the amount of **\$790.00** and any deficiency in fees, or credit any overpayments to Deposit Account No. **50-0510**.
i. XXXXX RCE fee (\$790.00) required under 37 C.F.R. §1.17(e)
ii. _____ Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
iii. _____ Other _____

b. _____ Check in the amount of \$ _____ enclosed
c. _____ Payment by credit card (Form PTO-2038 enclosed)

December 17, 2004

Date of Signature

12/21/2004 KBETEMA1 00000049 500510 09401596

01 FC:1801 790.00 DA

Paul D. Greeley, Esq.
Attorney for Applicant(s)
Registration No. 31,019
Ohlant, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, Connecticut 06901-2682
Telephone: (203) 327-4500
Telefax: (203) 327 6401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 16, 2004.

Keysha Whitaker
NAME

SIGNATURE

12/17/04
DATE